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5 Attorneys for Defendants
6 JOHNSON & JOHNSON, MCNEIL CONSUMER
7 HEALTHCARE, a Division of MCNEIL-PPC, INC.,
MCKESSON CORPORATION, and WAL-MART
STORES, INC.

9
10 SUPERIOR COURT OF THE STATE OF CALIFORNIA
11 FOR THE COUNTY OF SAN FRANCISCO

12 THOMAS B. GAINES, a deceased minor
13 child by and through his personal
representative(s) and/or successor(s) in
interest; DIANA L. GAINES, individually,
14 as Executor of the Estate of Thomas B.
Gaines, and as Thomas B. Gaines' personal
representative and successor in interest;
15 GARY D. GAINES, individually and as
Thomas B. Gaines' personal representative
and successor in interest; and THE
ESTATE OF THOMAS B. GAINES,

16 Plaintiffs,

17 v.

20 JOHNSON & JOHNSON, a New Jersey
corporation; MCNEIL CONSUMER &
21 SPECIALTY PHARMACEUTICALS, a
Division of MCNEIL-PPC, INC., a New
Jersey corporation; MCKESSON
22 CORPORATION, a Delaware corporation;
WAL-MART STORES, INC., a Delaware
corporation; and DOES 1 through 100,
inclusive,

25 Defendants.

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ENCLOSURE
FILED
San Francisco County Superior Court
OCT 29 2007
GORDON PAHK-LI, Clerk
BY: WESLEY RAMIREZ
Clerk

Case No. CGC-06-457600

NOTICE OF REMOVAL TO FEDERAL
COURT UNDER 28 U.S.C. § 1441(b)
[DIVERSITY]

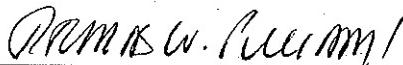
1 **TO THE COURT, PLAINTIFFS, AND THEIR ATTORNEYS OF RECORD:**

2 PLEASE TAKE NOTICE that Defendants Johnson & Johnson, McNeil
3 Consumer Healthcare, a Division of McNeil-PPC, Inc. (erroneously sued as McNeil
4 Consumer & Specialty Pharmaceuticals, a Division of McNeil-PPC, Inc.), and Wal-Mart
5 Stores, Inc. removed the above-entitled action to the United States District Court for the
6 Northern District of California, on October 29, 2007. A true and correct copy of the
7 Notice of Removal and Removal and all related papers are attached collectively to this
8 Notice as Exhibit A.

9

10 Dated: October 29, 2007

DRINKER BIDDLE & REATH LLP

12 
13 THOMAS W. PULLIAM, JR.

14 Attorneys for Defendants
15 JOHNSON & JOHNSON, MCNEIL
16 CONSUMER HEALTHCARE, a Division
of MCNEIL-PPC, INC., MCKESSON
CORPORATION, and WAL-MART
STORES, INC.

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DRINKER BIDDLE & REATH LLP
50 Fremont Street, 20th Floor
San Francisco, CA 94105

CERTIFICATE OF SERVICE

I, GLORIA CADENA, declare that:

I am at least 18 years of age, and not a party to the above-entitled action. My business address is 50 Fremont Street, 20th Floor, San Francisco, California 94105, Telephone: (415) 591-7500.

On October 29, 2007, I caused to be served the following document(s):

**NOTICE OF REMOVAL TO FEDERAL COURT
UNDER 28 U.S.C. § 1441(B) [DIVERSITY]**

by enclosing a true copy of (each of) said document(s) in (an) envelope(s), addressed as follows:

- BY MAIL: I am readily familiar with the business' practice for collection and processing of correspondence for mailing with the United States Postal Service. I know that the correspondence is deposited with the United States Postal Service on the same day this declaration was executed in the ordinary course of business. I know that the envelope was sealed, and with postage thereon fully prepaid, placed for collection and mailing on this date, following ordinary business practices, in the United States mail at San Francisco, California.
 - BY PERSONAL SERVICE: I caused such envelopes to be delivered by a messenger service by hand to the address(es) listed below:
 - BY OVERNIGHT DELIVERY: I enclosed a true copy of said document(s) in a Federal Express envelope, addressed as follows:
 - BY FACSIMILE: I caused such documents to be transmitted by facsimile transmission and mail as indicated above.

Michael J. Avenatti, Esq.
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Counsel for Plaintiff

I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed on October 29, 2007 at San Francisco, California.

Gloria Cadena
GLORIA CADENA